

Harley B. Rider
Supervisor
Debra A. Ceo
Clerk
Libby Brushaber
Treasurer
Michael Compton,
James Drolett,
William Gajewski,
Mark Mesko,
Trustees

DEXTER TOWNSHIP

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SPECIAL MEETING OF THE DEXTER TOWNSHIP BOARD

TUESDAY, SEPTEMBER 29, 2020 10:00 AM

Location: In accordance with the provision and directives of Governor Whitmer's Executive Orders, the meeting was a "virtual" meeting held over Zoom videoconferencing and was properly noticed and open to the public via computer or phone.

Meeting **called to order** by Supervisor Rider at 10:00 AM.

ROLL CALL: Present – Supervisor Rider, Clerk Ceo, Treasurer Brushaber, Trustees Compton, Drolett, Gajewski and Mesko. Also, present: David Rohr, Director of Zoning and Planning, Brian Keesey, McKenna Consulting Planners; and Janis Miller, Recording Secretary.

1ST CALL TO THE PUBLIC: None

APPROVAL of the AGENDA: Motion by Ceo to approve the agenda as presented. Motion seconded by Mesko. Roll call vote. **Motion carried (7-0).**

Discussion/Action:

A. Broadband Service in Dexter Township: MTA (Michigan Township Association) said public funds could not be used for private purposes, as it is not consistent with the law. If the Township installed the infrastructure it would be to Charter/Spectrums specifications and they would then own it. Compton stated there is no update on the grant the township is seeking but he will not stop trying to get better service for the township residents.

B. Draft Zoning Ordinance: Supervisor Rider asked the Board to not revise anything the Board has already taken action on, unless something has changed since the action was taken.

Discussion: Article 2 Definitions, page 2-22, (O)(7) Outdoor Storage, clarified by Section 16.21 Storage of Materials. Article 16 General Provisions, Conflict between page 6-2, Section 6.02 Site Development Standards, minimum lot width and page 16-1, Section 16.02(C) Lot Configuration. Article 28 Special Land Use, page 28-2, Section 28.03(G)(2) General Provisions; consultant Keesey recommended deleting having staff review.

Motion by Drolett, second by Brushaber, to delete 28.03(G)(2) on page 28-2, incorporating the language of (G)(1) into (G), eliminating (G)(1). **(zoom 21:02)** With no objections **Motion carried (7-0).**

Discussion: Article 28 Special Land Uses, page 22-5, Section 22.08(B)(4) Who is the "Township public safety officials"?

Discussion: Article 2 Definitions, page 2-22 definition of "Outdoor Storage", and page 2-29 definition of "Storage, Outdoors". Consultant Keesey will delete "Storage, Outdoors".

Discussion: Article 3 Zoning and Districts Map, page 3-3, Section 3.05(B) Zoning of Planned Unit Developments; consultant Keesey clarifies Overlay Districts are map amendments with changes to the zoning regulations applicable to the parcel within the overlay. Underlying zoning remains the same, the Planning Commission has approved an overlay to the current zoning. The Board approves map changes, a map amendment process done by ordinance, which requires a resolution.

Motion by Drolett, second by Brushaber, to change Section 3.05(B) by removing the words "shall automatically be updated" and replaced with "shall, upon recommendation by the Planning Commission, the Official Zoning Map shall be amended according to applicable statutes and this Ordinance", leaving the remainder of the sentence intact. (zoom 40:57)

Roll call vote. **Motion carried (7-0).** (zoom 46:15)

Note to consultant Keesey: The header for Section 3.05 also needs to reflect Open Space Communities (OSC).

Discussion: Article 4 Schedule of Regulations, page 4-2, Personal Service; how it differs from a home business. Article 5 Agriculture District (AG), page 5-2, Section 5.02 Site Development Standards in regards to wetlands setbacks to ten (10) feet as recommended by the Planning Commission. Page 5-4, Section 5.07(2) Footnotes, setbacks changed from eighty (80) feet to fifty (50) feet; setbacks changed by Board action on August 13, 2019. Article 17 Specific Use Standards, page 17-3, Section 17.02(E)(5) Residential Use Standards, Temporary Dwellings; consultant changed from one (1) year with a six (6) month extension to eighteen (18) months with two (2) six (6) month extensions.

Motion by Drolett, second by Ceo, to change Section 17.02(E)(5) to "occupied for a maximum period of 12 months with up to two (2) six (6) month extensions with approval of the Director of Planning and Zoning or the Zoning Administrator". (zoom 1:12:13)

Roll call vote. **Motion carried (7-0).** (zoom 1:13:55)

Discussion: Article 17 Specific Use Standards, Section 17.04(R) Commercial Use Standards, Kennels, page 17-14, questioning not allowing animals to run between 10pm and 7am. Page 17-6, (E) Keeping of Animals; Board motion November 9, 2017 excluded platted developments and site condominiums unless permitted in their bylaws in those developments, which was not included in the current draft. Board asked consultant Keesey to add to page 17-7, (E)(9) Exclusions: Platted developments and site condominiums unless permitted in the by-laws of those developments.

Discussion: Article 2 Definitions, page 2-8, (C)(18) Conventional Plan, the need to exclude what builders cannot build upon.

Motion by Ceo, second by Drolett, to add language to Section 2.02(C)(18) stating "excluding road rights-of-way and other infrastructure". (zoom 1:29:18)

Roll call vote. **Motion carried (7-0).** (zoom 1:32:29)

Discussion: Article 2 Definitions, page 2-17, Section 2.02(L)(9) Lot Area; road right-of way was never included in lot area. Lot area boundaries determined by legal description of the property, in which metes and bounds lots go to the center of the road and includes the road. Page 2-33 (W)(3) Waterbody; breaking up second sentence as it runs on.

Discussion: Article 5 Agricultural District (AG), page 5-4, Section 5.07(5) Use Interpretations; paragraph appears in each zoning district and should possibly appear only in the Administrative Section. Consultant Keesey suggests moving Use Interpretations to the General Provisions.

Motion by Drolett, second by Ceo, to consolidate the "Use Interpretations" from each zoning district into one section, including verbiage "Standards: does the proposed use requiring extra parking, different impact on neighboring properties, traffic impact, water and sewer impact, greater impervious area and drainage, noise, odor, glare and visual impact, and a declaration by the Director of Zoning and Planning as to his/her interpretation that can be appealed to the Zoning Board of Appeals." (zoom 1:49:08)

Roll call vote. **Motion carried (7-0).** (zoom 1:52:23)

Discussion: Article 14 Planned Unit Development (PUD), page 14-1, Section 14.02(A) Authority; Per previous discussion, approval with Planning Commission or at the recommendation of the Planning Commission with final approval with the Township Board, as PUD's require a map amendment? Page 14-2, Section 14.04(C) Planning Commission being able to add uses not permitted, which should be a legislative responsibility.

Discussion: Article 17 Specific Use Standards, page 17-7, Section 17.03 Agricultural, Fishing, Hunting, and Recreational Use Standards; (G)(5) Hours of Operation, 8 am is too early suggested change to 10 am. Hours of Operation are limited by their Special Use Permit.

Motion by Drolett, second by Mesko, in Section 17.03(G)(5) Outdoor Shooting Ranges, outdoor shooting range use should be limited to the hours between 10 am and sunset.

Discussion: This pertains to commercial facilities not private ranges. Although, later discussion (zoom 2:26:55) Section 23.02, page 23-2, (A)(6)(i) states that private shooting ranges are limited to the hours of 10 am and dusk.

Roll call vote. **Motion carried (7-0).** (zoom 2:13:04)

Discussion: Article 17 Specific Use Standards, Section 17.03 Agricultural, Fishing, Hunting, and Recreational Use Standards, page 17-7, (E)(3) Keeping of Animals, setbacks should include a waterbody setback of at least 100 feet in Lake Residential Districts (LR).

Motion by Drolett, second by Mesko, to add in Section 17.03(E)(3) Keeping of Animals, add a setback (d) stating "The keeping of animals, and the conditions listed in b) and c) above, shall be at least one-hundred (100) feet from the waterbody edge in Lake Residential Districts (LR)." (zoom 2:17:54) Roll call vote. **Motion carried (7-0).** (zoom 2:19:53)

Discussion: Article 17 Specific Use Standards, Section 17.06 Utility, Service, Construction, and Industrial Use Standards, Page 17-24, (H) Compost Center, (I) Temporary Concrete and Asphalt Batch Plants, and (M) Commercial Grain Elevators; should not be listed thereby making them a not allowed use.

Discussion: Article 22 Access. Section 22.09 Access Easements, page 22-7, (B)(1) Design Standards, widths; not in conflict with Section 16.02(C) which allows thirty (30) feet of frontage. Technical change by Consultant Keesey: Page 22-7, (B)(2) replace "Dexter Area Fire Authority" with "Public Safety Agencies".

Discussion: Article 23 Environmental, Section 23.06 Wetlands, page 23-5, (A)(1) Identification; DEQ reference should be changed to "EGLE" and adding "or its successor agency".

Discussion: Article 27 Site Plan Review, Section 27.04 General Site Plan Provisions, page 27-3; (C) The Zoning Enabling Act does not require a Public Hearing for site plan review. Consultant Keesey will change the last sentence to read "Any variances shall be approved before the Planning Commission considers the final site plan."

Discussion: Article 30 Amendments, Section 30.04 Conditional Zoning Map Amendment, page 30-4; Conditional Zoning could lead to bad consequences like barter and trade. Synopsis by Consultant Keesey: Conditional rezoning is a mechanism that's allowed by the state, you don't have to do it or allow it, but it lets a developer propose on a rezoning application. This is usually tied to a specific site plan.

Motion by Drolett, second by Ceo, to delete Section 30.04 in its entirety. (zoom 2:40:47)

Discussion: It is a tool in the toolbox and how it could be applied by restricting permitted uses. Ceo withdraws her second. Motion dies due to lack of a second.

Discussion: Article 17 Specific Use Standards, Section 17.03, page 17-6(E)(1a) Keeping of Animals, deleting the unlimited number of animals in the Rural Residential (RR) District.

Motion by Ceo, second by Drolett, to set a Special Meeting of the Board of Trustees for Tuesday October 13, 2020, at 10:00 AM, for a second reading and possible adoption of the draft Zoning Ordinance. (zoom 3:13:30) Motion carried (7-0).

2ND CALL TO THE PUBLIC: Laura Sanders, noted the difficulty in daytime meetings for those who have a job. Tracey Zaleski, she echoed Laura's comment.

Other Issues, Comments and Concerns of Board Members & Staff:

Drolett: Thanked Brian Keeseey, PC, and Board of Trustees for their time. Also thanked previous DPZ Zach Michels for his time and commitment to the Zoning Ordinance.

Rider: Noted the openness, transparency, and exposure to public in this lengthy review.

Burch: Thanked everyone involved and he is proud of the Zoning Ordinance produced.

Gajewski: Thanked everyone for the overwhelming amount of work that was required.

Straub: Thanked everyone and noted that the Township is now moving in the right direction.

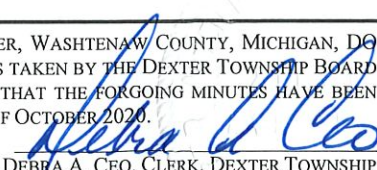
Meeting adjourned at 1:31 PM.

Respectfully Submitted,


Debra A. Ceo, Clerk

Dexter Township

I, THE UNDERSIGNED, DEBRA A. CEO, THE DULY QUALIFIED CLERK FOR THE TOWNSHIP OF DEXTER, WASHTENAW COUNTY, MICHIGAN, DO HEREBY CERTIFY THAT THE FORGOING IS A TRUE AND COMPLETE COPY OF CERTAIN PROCEEDINGS TAKEN BY THE DEXTER TOWNSHIP BOARD OF TRUSTEES AT A SPECIAL BOARD MEETING HELD ON THE 29TH DAY OF SEPTEMBER 2020 AND THAT THE FORGOING MINUTES HAVE BEEN APPROVED BY A MAJORITY VOTE OF THE BOARD AT A SCHEDULED MEETING HELD ON THE 20TH DAY OF OCTOBER 2020.


DEBRA A. CEO, CLERK, DEXTER TOWNSHIP